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10 LEVI STRAUSS & CO.

11 UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 LEVI STRAUSS & CO.,

15 Plaintiff,

16 v.

17 SELF EDGE, *et al.*,

18 Defendants.

Case No. C 07-0245 PJH

19 **STIPULATION TO FINAL**
20 **JUDGMENT AND PERMANENT**
21 **INJUNCTION**

22 Plaintiff Levi Strauss & Co. and Defendant Blue In Green hereby stipulate to the facts and
23 conclusions contained in the attached Final Judgment and Permanent Injunction and consent to its
24 entry by the court.

25 IT IS SO STIPULATED AND CONSENTED.

26 Dated: 7/18, 2007

Gia L. Cincone
27 Gia L. Cincone
28 Townsend and Townsend and Crew LLP

ATTORNEYS FOR PLAINTIFF
LEVI STRAUSS & CO.

Dated: MAY 15, 2007

Mark S. Kaufman
Mark S. Kaufman
Kaufman & Kahn, LLP

ATTORNEYS FOR DEFENDANT
DEFENDANT BLUE IN GREEN

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

LEVI STRAUSS & CO.,

Plaintiff,

v.

SELF EDGE, *et al.*,

Defendants.

Case No. C 07-0245 PJH

**[PROPOSED] FINAL JUDGMENT
AND PERMANENT INJUNCTION
AGAINST DEFENDANT BLUE IN
GREEN**

Plaintiff Levi Strauss & Co. ("LS&CO.") has filed a Complaint alleging trademark infringement, dilution, and unfair competition under federal and California law against defendant Blue In Green, among others, including Self Edge, History Preservation Associates, Toyo Enterprise Co., Ltd., Samurai Co., Ltd., Studio d'Artisan International Co., Ltd., BS United, and Works Inc. (collectively "Defendants"). LS&CO. alleges that Blue In Green has distributed, promoted, and sold clothing, including denim jeans and jackets manufactured by other Defendants, that violates LS&CO.'s rights in a number of its federally registered trademarks.

The Court now enters final judgment based upon the following undisputed facts. Each party has waived the right to appeal from this final judgment and each party will bear its own fees and costs in connection with this action.

I. FACTS AND CONCLUSIONS

A. This Court has subject matter jurisdiction over this lawsuit and personal jurisdiction over Blue In Green. Venue is proper in this Court.

B. LS&CO. owns the following trademarks, which are registered as indicated below. These trademarks are referred to collectively as the "LS&CO. Trademarks."

1. The Arcuate Stitching Design Trademark. LS&CO. owns, among others, the

1 following United States and California registrations for its Arcuate trademark as used on a variety of
2 casual apparel:

3 a. U.S. Registration No. 1,139,254 (first used as early as 1873; registered
4 September 2, 1980);

5 b. U.S. Registration No. 404,248 (first used as early as 1873; registered
6 November 16, 1943);

7 c. U.S. Registration No. 2,791,156 (first used as early as September 1,
8 1936; registered December 9, 2003);

9 d. U.S. Registration No. 2,794,649 (first used as early as 1873; registered
10 December 16, 2003);

11 e. California Registration No. 088399 (first used as early as 1873;
12 registered August 24, 1988).

13 2. The Tab Device Trademark. LS&CO. owns, among others, the following
14 United States registrations for its Tab trademark as used on a variety of casual apparel:

15 a. Registration No. 356,701 (first used as early as September 1, 1936;
16 registered May 10, 1938);

17 b. Registration No. 516,561 (first used as early as September 1, 1936;
18 registered October 18, 1949);

19 c. Registration No. 577,490 (first used as early as September 1, 1936;
20 registered July 21, 1953);

21 d. Registration No. 774,625 (first used as early as May 22, 1963; registered
22 August 4, 1964);

23 e. Registration No. 775,412 (first used as early as October 9, 1957;
24 registered August 18, 1964);

25 f. Registration No. 1,157,769 (first used as early as September 1, 1936;
26 registered June 16, 1961);

27 g. Registration No. 2,791,156 (first used as early as September 1, 1936;
28 registered December 9, 2003).

1 3. The Shirt Tab Trademark. LS&CO. owns, among others, the following United
2 States and California registrations for its Shirt Tab trademark as used on shirts and jackets:

3 a. U.S. Registration No. 2,726,253 (first used as early as March 7, 1969;
4 registered June 17, 2003);

5 b. California Registration No. 052312 (first used as early as March 7,
6 1969; registered June 12, 1974).

7 4. The Housemark Design Trademark. LS&CO. owns, among others, the
8 following United States registrations for its Housemark trademark used in connection with a variety of
9 casual apparel:

10 a. Registration No. 849,437 (first used as early as October 10, 1966;
11 registered May 21, 1968);

12 b. Registration No. 1,135,196 (first used as early as April 15, 1975;
13 registered May 13, 1980);

14 c. Registration No. 1,041,846 (first used as early as April 15, 1975;
15 registered June 22, 1976);

16 d. Registration No. 1,122,468 (first used as early as October 22, 1977;
17 registered July 17, 1979);

18 e. Registration No. 1,155,926 (first used as early as December 1970;
19 registered May 26, 1981).

20 5. The Two Horse Design Trademark. LS&CO. owns, among others, the
21 following United States registrations for its Two Horse trademark as used on pants, jeans, shorts,
22 skirts and other bottoms:

23 a. Registration No. 523,665 (first used as early as January 1, 1886;
24 registered April 1, 1950);

25 b. Registration No. 1,140,853 (first used as early as January 1, 1886;
26 registered October 28, 1980).

27 6. The 500 Trademarks. LS&CO. owns, among others, the following United
28 States registrations for its 500 family of trademarks as used on a variety of casual apparel:

1 a. Registration No. 1,552,985 (first used as early as December 31, 1969;
2 registered August 22, 1989) (501®);

3 b. Registration No. 1,313,554 (first used as early as June 27, 1983;
4 registered January 8, 1985) (505®);

5 c. Registration No. 1,319,462 (first used as early as June 27, 1983;
6 registered February 12, 1985) (517®);

7 d. Registration No. 2,503,976 (first used as early as May 1, 1998;
8 registered November 6, 2001) (569®).

9 C. LS&CO. alleges that the LS&CO. Trademarks are valid and famous trademarks of
10 LS&CO., and LS&CO. has the exclusive right to use those trademarks throughout the world.

11 D. LS&CO. alleges that Blue In Green has distributed, promoted, and sold jeans under a
12 number of brand names, including SUGAR CANE, SAMURAI JEANS, STUDIO D'ARTISAN, ONI
13 DENIM, FULL COUNT, JOHN BULL, and WAREHOUSE. These jeans have allegedly displayed
14 some of the following designs:

15 a. The pocket stitching designs illustrated in Exhibit A;

16 b. The tabs illustrated in Exhibit B;

17 c. The shirt tabs illustrated in Exhibit C;

18 d. The labels and pocket flashers illustrated in Exhibit D;

19 e. The patches illustrated in Exhibit E; and/or

20 f. The numerical designations illustrated in Exhibit F.

21 LS&CO. alleges that the designs shown in Exhibits A-F (collectively referred to as the "Restricted
22 Designs") are confusingly similar to the LS&CO. Trademarks and have been used on directly
23 competing products.

24 **II. PERMANENT INJUNCTION.**

25 It is hereby ordered and adjudged as follows:

26 A. Commencing as of the "So Ordered" date of this Final Judgment and Permanent
27 Injunction, Blue In Green, its principals, agents, affiliates, employees, officers, directors, servants,
28 privies, successors, and assigns, and all persons acting in concert or participating with it or under its

1 control who receive actual notice of this Order, are hereby permanently enjoined and restrained,
2 directly or indirectly, from doing, authorizing or procuring any persons to do any of the following:

3 1. Manufacturing, licensing, selling, offering for sale, distributing, importing,
4 exporting, advertising, promoting, or displaying any garments that display the Restricted Designs or
5 any other design that is substantially similar to any of the LS&CO. Trademarks or the Restricted
6 Designs;

7 2. Manufacturing, licensing, selling, offering for sale, distributing, importing,
8 exporting, advertising, promoting, or displaying any garments that display any pocket design, tab,
9 label, hangtag, patch, numerical designation, or any other label, design, or device that may reasonably
10 be believed to be as similar or more similar to any of the LS&CO. Trademarks than the Restricted
11 Designs;

12 3. Violating the rights of LS&CO. in and to any of the LS&CO. Trademarks;

13 4. Assisting, aiding or abetting any person or entity engaging in or performing any
14 act prohibited by this paragraph.

15 C. This Injunction shall apply throughout the world to the fullest extent of this Court's
16 jurisdiction.

17 D. This is a final judgment as to all claims asserted against Blue and Green in the
18 Complaint and both parties shall bear their own costs.

19 E. This Court shall retain jurisdiction for the purpose of making any further orders
20 necessary or proper for the construction or modification of this Judgment, the enforcement thereof,
21 and/or the punishment for any violations thereof. In the event of any violation of this Permanent
22 Injunction, subject to five (5) business days' notice of any such violation and Blue in Green's failure to
23 cure such default within such 5-day period, Blue in Green shall be responsible to pay LS&CO. for
24 LS&CO.'s reasonable attorneys' fees and costs of this action solely to the extent such fees and costs
25 relate to claims made against Blue in Green, as well as any enforcement or contempt proceedings

26 ///

27 ///

28 ///

1 against Blue in Green. For the purpose of any future proceeding to enforce the terms of this
2 Judgment, service by mail upon a party or their counsel of record at their last known address shall be
3 deemed adequate notice for each party.

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5 DATED: 7/25/07
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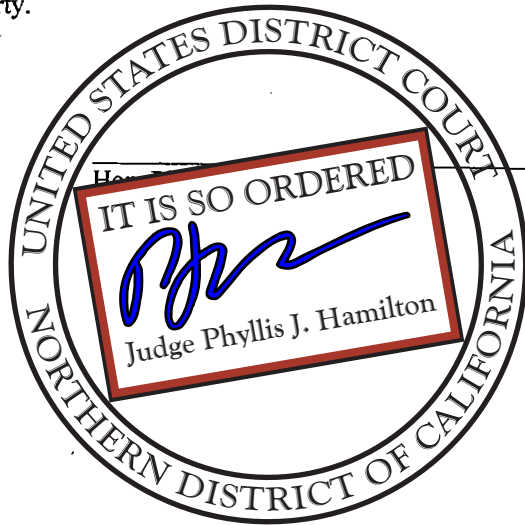


Exhibit A



Exhibit A-1



Exhibit A-2

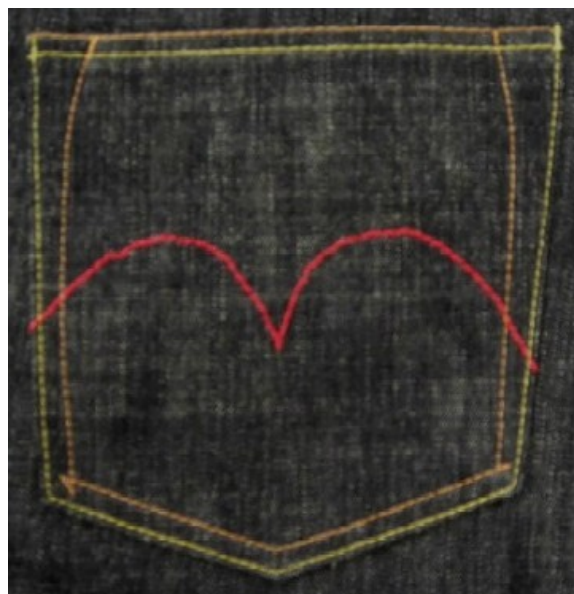


Exhibit A-3



Exhibit A-4

Exhibit B



Exhibit B-1



Exhibit B-2

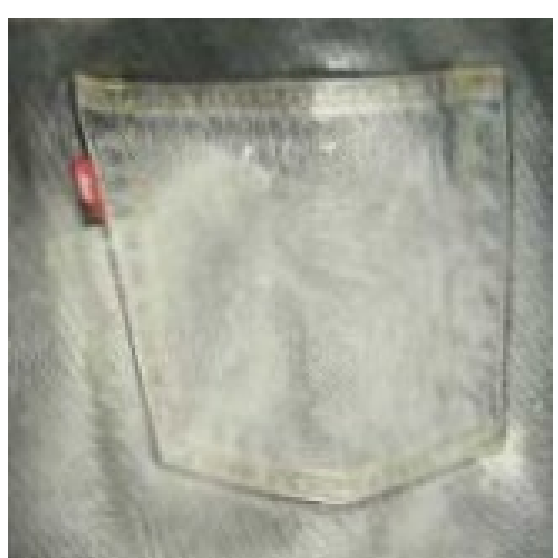


Exhibit B-3



Exhibit B-4

Exhibit C



Exhibit C-1



Exhibit C-2

Exhibit D



Exhibit D

Exhibit E

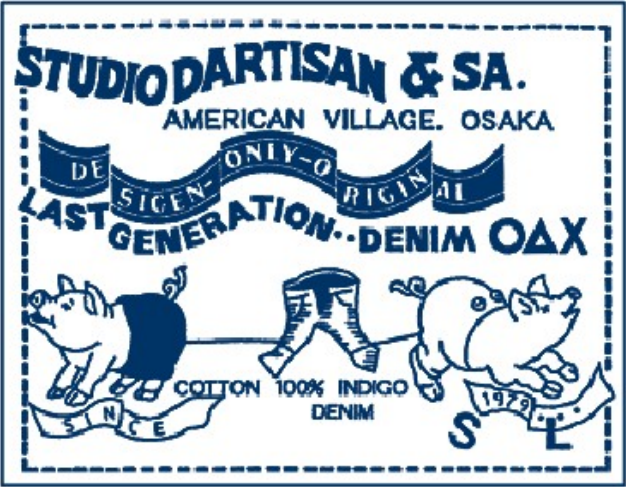


Exhibit E

Exhibit F



Exhibit F-1

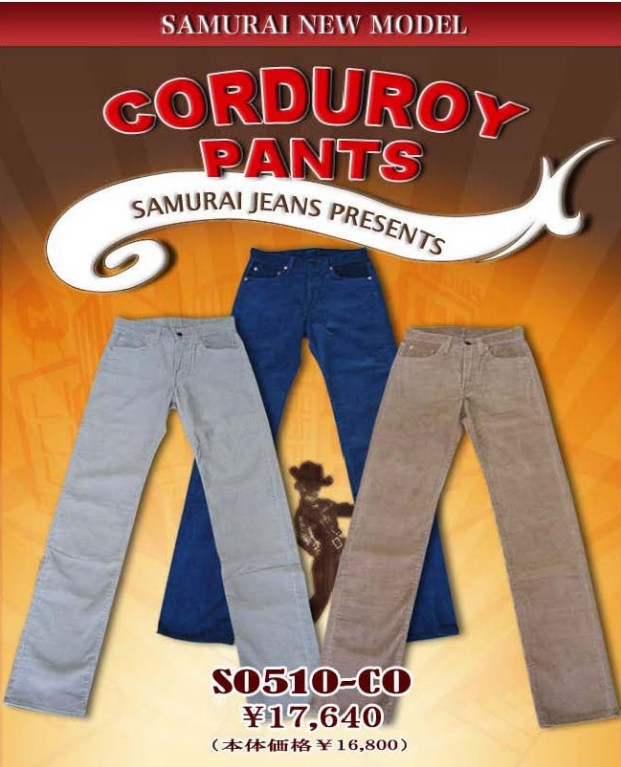


Exhibit F-2



Exhibit F-3



Exhibit F-4

**JOHN BULL John bull
SEWING CHOP
#508BD**



**JOHNBULL
SEWING CHOP
508BD**

The model which from the sixties latter half is made on the basis of the XX of Levi's of seventies first half.

JOHN BULL John bull
SEWING CHOP
#513BD



Exhibit F-6